

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention or design entitled **"Fluidic Compression Device Adapted to Accommodate an External Fixation Device,"** the specification which is attached hereto; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim U.S. provisional application or foreign priority benefits under 35 U.S.C. § 119 of any U.S. provisional applications or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<b>Prior U.S. Provisional or Foreign Application(s)</b>			<b>Priority Claimed</b>	
<b>Number</b>	<b>Country</b>	<b>Day/Month/Year Filed</b>	<b>Yes</b>	<b>No</b>
60/396,523	USA	July 17, 2002	X	

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application  
Serial Number

Date Filed

Status

I hereby appoint:  
Practitioners at Customer Number:



all of the firm of Baker Botts L.L.P., my attorneys/agents with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Christopher W. Kennerly, Esq.  
The above-mentioned Customer Number

Direct Telephone Calls To:

Christopher W. Kennerly, Esq.  
at 214.953.6812  
Attorney Docket No. 074569.0103

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of the sole (or first) inventor

Daniel P. Shevlin

Inventor's signature

A handwritten signature of Daniel P. Shevlin in cursive script.

Date

7.3.03

Residence (City, County, State)

McKinney, Collin County, Texas

Citizenship

United States of America

Post Office Address

1003 Hills Creek Drive  
McKinney, Collin County, Texas 75070

Applicant or Patentee: Daniel P. Shevlin

Attorney's Docket 074569.0103

Serial or Patent No.

Filed or Issued:

Title: FLUIDIC COMPRESSION DEVICE ADAPTED TO ACCOMMODATE AN EXTERNAL FIXATION DEVICE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.27(a)(2)) – SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: EEMSO, Inc.

Address of Small Business Concern: 6120 Peeler Street, Dallas, Texas 75235-7125

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121, and in 37 CFR 1.27(a), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either one concern controls, directly or indirectly, or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled FLUIDIC COMPRESSION DEVICE ADAPTED TO ACCOMMODATE AN EXTERNAL FIXATION DEVICE by inventor, Daniel P. Shevlin, described in the specification filed herewith.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3):

NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing:

Daniel P. Shevlin


Title of Person if other than owner:

President

Address of Person Signing:

6120 Peeler Street, Dallas, Texas 75235-7125

Signature:



Date:

7.14.03